

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CIVIL ACTION NOS. LISTED ON THE ATTACHED EXHIBIT:

**JOINT MOTION TO DISMISS DEFENDANT
AMERICAN MEDICAL SYSTEMS, INC. WITH PREJUDICE**

Plaintiffs in the cases listed on the attached Exhibit A and defendant American Medical Systems, Inc. ("AMS") advise the Court that they have compromised and settled all claims between them in these actions, including all counterclaims, cross-claims and third party claims. Accordingly, Plaintiffs and AMS jointly move the court to dismiss AMS as a defendant in these actions with prejudice, and terminate AMS from the docket in the actions, parties to bear their own costs. Other defendants remain in these actions, and plaintiffs will continue to pursue these actions against them.

Respectfully:

/s/Barbara Binis

Barbara Binis
REED SMITH
Three Logan Square, Suite 3100
1717 Arch Street
Philadelphia, PA 19103
215.851.8100 (phone)
215.851.1420 (fax)
bbinis@reedsmith.com

/s/ Erik W. Legg

Erik W. Legg
FARRELL, WHITE & LEGG PLLC
P.O. Box 6457
Huntington, WV 25772-6457
304.522.9100 (phone)
304.522.9162 (fax)
ewl@farrell3.com

Attorneys for Defendant American Medical Systems, Inc.

/s/ Debra J. Humphrey

Debra J. Humphrey

MARC J. BERN & PARTNERS

One Grand Central Place, Suite 950

60 East 42nd Street

New York, NY 10165

212.702.5000 (phone)

212.818.0164 (fax)

dhumphrey@bernllp.com

Attorney for Plaintiffs on Exhibit A

Dated: July 2, 2018

EXHIBIT A – MARC J. BERN & PARTNERS

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:12-CV-02521	Norma Wright, Ted Wright v. Johnson & Johnson, Ethicon, Inc., American Medical Systems, Inc.
2:13-CV-07803	Peggy Rusher, Robert Rusher v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in these member cases.

/s/ Barbara R. Binis